

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ozgur Leonard, et al.

Serial No.: 10/771,827

Filed on: February 3, 2004

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Confirmation No.: 3978

Examiner: An, Meng Ai T

Group Art Unit No.: 2195

For: MULTI-LEVEL COMPUTING RESOURCES SCHEDULING CONTROL FOR
OPERATING SYSTEM PARTITIONS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is at least one copy of Form PTO/SB/08 (A or B) together with copies of the documents cited on that form, if needed. Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):



37 C.F.R. §1.97(b). It is respectfully requested that the cited documents be considered and that each enclosed copy of Form PTO/SB/08 (A or B) be initialed by the Examiner to indicate such consideration and a copy thereof returned.



37 C.F.R. §1.97(c). If so, then this Information Disclosure Statement includes one of the following:



A statement pursuant to 37 C.F.R. §1.97(e)

☐ 1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

☐ 1.97(e)(2) The undersigned hereby states that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

☐ A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the cited documents be considered and that each enclosed copy of Form PTO/SB/08 (A or B) be initialed by the Examiner to indicate such consideration and a copy thereof returned.

☐ 37 C.F.R. §1.97(d). If so, then this Information Disclosure Statement includes the following:

☐ A statement pursuant to 37 C.F.R. §1.97(e)

☐ 1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; OR

☐ 1.97(e)(2) The undersigned hereby states that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

AND

☐ A check for \$180.00 for the fee under 37 C.F.R. §1.17(i) for submission of the Information Disclosure Statement.

It is respectfully requested that the cited documents be considered and that each enclosed copy of Form PTO/SB/08 (A or B) be initialed by the Examiner to indicate such consideration and a copy thereof returned.

☐ 37 C.F.R. §1.97(i). The undersigned is submitting references to satisfy disclosure obligations in hopes that the references will be considered by the Examiner. Although the submission does not fully meet 37 C.F.R. §1.97, it is respectfully requested that the cited documents be considered and that each enclosed copy of Form PTO/SB/08 (A or B) be initialed by the Examiner to indicate such consideration and a copy thereof returned to Applicant(s). It is understood that if the Examiner does not consider the cited references, the cited documents will be placed in the file pursuant to 37 C.F.R. §1.97(i).

Accordingly, copies of the references as listed on each enclosed copy of Form PTO/SB/08 (A or B) are submitted herewith, if needed. No certification or fees are deemed necessary.



The Examiner is hereby notified that the present application is related to the following related application(s):

DISCLOSURE OF RELATED APPLICATIONS

U.S. Application/ Pat. No.	File Date	Atty. Docket. No.

The related application(s) may contain subject matter that is related to the subject matter of the present application. The related application(s) may contain one or more claims that may be substantially similar to one or more claims in the present application, and those claims may have been rejected in the related application(s). Therefore, the Examiner is encouraged to review the file history(ies) of the related application(s) as some of the information contained therein may be material to the examination of the present application.



The Examiner is hereby notified that for the following related application(s) an Office Action has been received as indicated below:

DISCLOSURE OF OFFICE ACTIONS

U.S. Application/ Pat. No.	File Date	Office Action Mailing Date	Atty. Docket. No.
10/767,003	01/28/2004	05/31/2007	15437-0593

The related application(s) may contain one or more claims that may be substantially similar to one or more claims in the present application, and those claims may have been rejected in the related application(s). Therefore, the Examiner is encouraged to review the file history(ies) of the related application(s) as some of the information contained therein may be material to the examination of the present application.

Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: July 19, 2007

/KirkDWong#43284/

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/771,827
Filing Date	February 3, 2004
First Named Inventor	Ozgur Leonard
Art Unit	2195
Examiner Name	An, Meng Ai T
Attorney Docket Number	15437-0600

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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ² Number ³ Kind Code ⁴ (if known)				

Examiner Signature	Date Considered
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*EXAMINER. Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached

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SLN040016-LIS-NP

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/771,827
Filing Date	February 3, 2004
First Named Inventor	Ozgur Leonard
Art Unit	2195
Examiner Name	An, Meng Ai T
Attorney Docket Number	15437-0600

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of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		HEWLETT-PACKARD, "Installing and Managing HP-UX Virtual Partitions (vPars)", Third Edition, Part Number T1335-90018, Copyright Hewlett-Packard Company, November 2002, pages 1-4, 17-44, 72-75, and 157-161.	
		HOPE, PACO, "Using Jails in FreeBSD for Fun and Profit", ;Login: The Magazine of Usenix and Sage, Volume 27, Number 3, June 2002, 9 pages.	
		KAMP, POUL-HENNING, "Rethinking / dev and devices in the UNIX kernel", BSDCon 2002 Paper, retrieved from website < http://www.usenix.org/events/bsdcon02/full_papers/kamp/kamp_html/index.html > Printed May 1, 2007, 18 pages.	
		THOMPSON, K., "UNIX Implementation", Bell Laboratories, The Bell System Technical Journal, 1978, pages 1-9.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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